

United States District Court

EASTERN DISTRICT OF WISCONSIN

COURT MINUTES

HON. **David E. Jones**, presiding.

Deputy Clerk: Tony Byal

DATE: **June 26, 2018 at 3:00 PM**

Court Reporter: Liberty

CASE NO. **16-CR-21**

Time Called: 3:02:05

UNITED STATES v. **Samy Mohammed Hamzeh**

Time Concluded: 3:27:14

PROCEEDING: **Status Conference**

UNITED STATES by: **Gregory Haanstad**

Probation Officer: **Joshua Hanzlik**

DEFENDANT: **Samy Mohammed Hamzeh**, in person, and by

ATTORNEY: **Joseph Bugni**

Court:

- Here to discuss plan put in place for defendant to meet with defense in building.
- Wants to give defendant every opportunity to develop defense, but needs to respect security concerns of the US Marshals.
- Defendant would be brought to the third floor secure facility to meet with defense and listen to recordings.
- There is a camera in the facility that the US Marshals can monitor. There would be no law enforcement officer in the room, which would give a longer response time if anything happens.
- Is not concerned about defendant attacking lawyer. Defendant would be behind locked bars.
- Defense will coordinate with US Marshals every week to discuss when defendant can be brought from Kenosha.
- Does not want to create sense of defendant getting special treatment. Does not want to set a precedent for future cases. Defendant will not be allowed to meet with family.

Defense:

- Discussed this with US Marshals five weeks ago. This was the original plan, but was then told it was not doable.
- This will be a very large trial. Trial could be four to five weeks long.
- Has had problems with translations of transcripts. Does not have a single transcript to use at trial.
- Does not believe this plan will work. Would be more flexible if allowed to have defendant meet in office. Moving staff in and out of third floor room will be cumbersome.
- Defendant has no means of escaping building. Court has minimized flight risk.
- Danger to the public is reduced inside this building.
- Will have contact with defendant every day, but will not be with defendant the whole time if he is listening to recordings.
- Raises concern regarding everyone not having access to secure room.

Court:

- Discusses setup of secure room on third floor. Asks if outside door could be left unlocked.

USM:

- Outside door cannot be left unlocked. Expects cell door to be secured. Door leading to cell area would not be locked. This will give lawyer access to restroom. Door leading out will be secured and will need someone to open it.
- Asks defense counsel to contact them when the door needs to be unlocked.
- Will provide schedule of Kenosha runs to defense today. Asks for defense to contact them to set up future transports.
- Asks defense to prepare list of people who they want to have access to this room.

Court:

- Will not allow defendant to be in defense office.
- Asks parties to coordinate with US Marshals to ensure smooth process. Defense to notify US Marshals if they need to move in and out of secure room.
- If this plan does not work, parties are to contact courtroom deputy to set a hearing. Parties shall not file motions regarding this.